

Senate Amendment 3330

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1 1 Amend Senate File 350 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <DIVISION I
1 5 STATEWIDE PRESCHOOL PROGRAM FOR FOUR=YEAR=OLD
1 6 CHILDREN
1 7 Section 1. NEW SECTION. 256C.1 DEFINITIONS.
1 8 As used in this chapter:
1 9 1. "Approved local program" means a school
1 10 district's program for four-year-old children approved
1 11 by the department of education to provide high quality
1 12 preschool instruction.
1 13 2. "Department" means the department of education.
1 14 3. "Director" means the director of the department
1 15 of education.
1 16 4. "Preschool program" means the statewide
1 17 preschool program for four-year-old children created
1 18 in accordance with this chapter.
1 19 5. "School district approved to participate in the
1 20 preschool program" means a school district that meets
1 21 the school district requirements under section 256C.3
1 22 and has been approved by the department to participate
1 23 in the preschool program.
1 24 6. "State board" means the state board of
1 25 education.
1 26 Sec. 2. NEW SECTION. 256C.2 STATEWIDE PRESCHOOL
1 27 PROGRAM FOR FOUR=YEAR=OLD CHILDREN == PURPOSE.
1 28 1. A statewide preschool program for four-year-old
1 29 children is established. The purpose of the preschool
1 30 program is to provide an opportunity for all young
1 31 children in the state to enter school ready to learn
1 32 by expanding voluntary access to quality preschool
1 33 curricula for all children who are four years old.
1 34 2. The state board shall adopt rules in accordance
1 35 with chapter 17A as necessary to implement the
1 36 preschool program as provided in this chapter.
1 37 Sec. 3. NEW SECTION. 256C.3 PRESCHOOL PROGRAM
1 38 REQUIREMENTS.
1 39 1. ELIGIBLE CHILDREN. A child who is a resident
1 40 of Iowa and is four years of age by September 15 of a
1 41 school year shall be eligible to enroll in the
1 42 preschool program under this chapter. If space and
1 43 funding are available, a school district approved to
1 44 participate in the preschool program may enroll a
1 45 younger or older child in the preschool program;
1 46 however, the child shall not be counted for state
1 47 funding purposes.
1 48 2. TEACHER REQUIREMENTS.
1 49 a. An individual serving as a teacher in the
1 50 preschool program must meet all of the following
2 1 qualifications:
2 2 (1) The individual is either employed by or under
2 3 contract with the school district implementing the
2 4 program.
2 5 (2) The individual is appropriately licensed under
2 6 chapter 272 and meets requirements under chapter 284.
2 7 (3) The individual possesses a bachelor's or
2 8 graduate degree from an accredited college or
2 9 university with a major in early childhood education
2 10 or other appropriate major identified in rule by the
2 11 department.
2 12 b. A teacher in the preschool program shall
2 13 collaborate with other agencies, organizations, and
2 14 boards in the community to further the program's
2 15 capacity to meet the diverse needs of the children
2 16 taught by the teacher and the families of the
2 17 children, such as needs for early care, health, and
2 18 human services. In addition, a teacher in the
2 19 preschool program shall work to maintain relationships
2 20 with each child's family in order to enhance the
2 21 child's development in all settings by collaborating
2 22 with providers of parent education and family support
2 23 opportunities.
2 24 3. PROGRAM REQUIREMENTS. The state board shall

2 25 adopt rules to further define the following preschool
2 26 program requirements which shall be used to determine
2 27 whether or not a local program implemented by a school
2 28 district approved to implement the preschool program
2 29 qualifies as an approved local program:
2 30 a. Maximum and minimum teacher-to-child ratios and
2 31 class sizes.
2 32 b. Applicable state and federal program standards.
2 33 c. Student learning standards.
2 34 d. Provisions for the integration of children from
2 35 other state and federally funded preschools.
2 36 e. Collaboration with participating families,
2 37 early care providers, and community partners including
2 38 but not limited to community empowerment area boards,
2 39 head start programs, shared visions and other programs
2 40 provided under the auspices of the child development
2 41 coordinating council, licensed child care centers,
2 42 registered child development homes, area education
2 43 agencies, child care resource and referral services
2 44 provided under section 237A.26, early childhood
2 45 special education programs, services funded by Title I
2 46 of the federal Elementary and Secondary Education Act
2 47 of 1965, and family support programs.
2 48 f. A minimum of ten hours per week of instruction
2 49 delivered on the skills and knowledge included in the
2 50 student learning standards developed for the preschool
3 1 program.
3 2 g. Parental involvement in the local program.
3 3 h. Provision for ensuring that children receiving
3 4 care from other child care arrangements can
3 5 participate in the preschool program with minimal
3 6 disruption due to transportation and movement from one
3 7 site to another.
3 8 4. SCHOOL DISTRICT REQUIREMENTS. The state board
3 9 shall adopt rules to further define the following
3 10 requirements of school districts implementing the
3 11 preschool program:
3 12 a. Methods of demonstrating community readiness to
3 13 implement high-quality instruction in a local program
3 14 shall be identified. The potential provider shall
3 15 submit a collaborative program proposal that
3 16 demonstrates the involvement of multiple community
3 17 stakeholders including but not limited to, and only as
3 18 applicable, parents, the school district, accredited
3 19 nonpublic schools and faith-based representatives, the
3 20 area education agency, the community empowerment area
3 21 board, representatives of business, head start
3 22 programs, shared visions and other programs provided
3 23 under the auspices of the child development
3 24 coordinating council, center-based and home-based
3 25 providers of child care services, human services,
3 26 public health, and economic development programs. The
3 27 methods may include but are not limited to a school
3 28 district providing evidence of a public hearing on the
3 29 proposed programming and written documentation of
3 30 collaboration agreements between the school district,
3 31 existing community providers, and other community
3 32 stakeholders addressing operational procedures and
3 33 other critical measures.
3 34 b. Subject to implementation of chapter 28E
3 35 agreements between a school district and
3 36 community-based providers of services to four-year-old
3 37 children, a four-year-old child who is enrolled in a
3 38 child care center or child development home licensed
3 39 or registered under chapter 237A, or in an existing
3 40 public or private preschool program, shall be eligible
3 41 for services provided by the school district's local
3 42 preschool program.
3 43 c. A school district shall participate in data
3 44 collection and performance measurement processes and
3 45 reporting as defined by rule.
3 46 d. Career development for school district
3 47 preschool teachers shall be addressed in the school
3 48 district's career development plan implemented in
3 49 accordance with section 284.6.
3 50 5. DEPARTMENT REQUIREMENTS.
4 1 a. The department shall implement an application
4 2 and selection process for school district
4 3 participation in the preschool program that includes
4 4 but is not limited to the enrollment requirements
4 5 provided under section 256C.4.

4 6 b. The department shall track the progress of
4 7 students served by a school district preschool program
4 8 and the students' performance in elementary and
4 9 secondary education.

4 10 c. The department shall implement procedures to
4 11 monitor the quality of the programming provided under
4 12 the preschool program.

4 13 Sec. 4. NEW SECTION. 256C.4 FUNDING PROVISIONS
4 14 == ENROLLMENT.

4 15 1. GENERAL.

4 16 a. State funding provided under the preschool
4 17 program shall be based upon the enrollment of eligible
4 18 students in the preschool programming provided by a
4 19 school district approved to participate in the
4 20 preschool program.

4 21 b. A school district approved to participate in
4 22 the preschool program may authorize expenditures for
4 23 the district's preschool programming from any of the
4 24 revenue sources available to the district from the
4 25 sources listed in chapter 298A, provided the
4 26 expenditures are within the uses permitted for the
4 27 revenue source. In addition, the use of the revenue
4 28 source for preschool or prekindergarten programming
4 29 must have been approved prior to any expenditure from
4 30 the revenue source for the district's approved local
4 31 program.

4 32 c. Funding provided under the preschool program is
4 33 intended to supplement, not supplant, existing public
4 34 funding for preschool programming.

4 35 d. Preschool foundation aid funding shall not be
4 36 commingled with the other state aid payments made
4 37 under section 257.16 to a school district and shall be
4 38 accounted for by the local school district separately
4 39 from the other state aid payments. Preschool
4 40 foundation aid payments made to school districts are
4 41 miscellaneous income for purposes of chapter 257. A
4 42 school district shall maintain a separate listing
4 43 within its budget for preschool foundation aid
4 44 payments received and expenditures made. A school
4 45 district shall certify to the department of education
4 46 that preschool foundation aid funding received by the
4 47 school district was used to supplement, not supplant,
4 48 moneys otherwise received and used by the school
4 49 district for preschool programming.

4 50 e. Preschool foundation aid funding shall not be
5 1 used for the costs of constructing a facility in
5 2 connection with an approved local program.

5 3 2. ELIGIBLE STUDENT ENROLLMENT.

5 4 a. To be included as an eligible student in the
5 5 enrollment count of the preschool programming provided
5 6 by a school district approved to participate in the
5 7 preschool program, a child must be four years of age
5 8 by September 15 in the base year and attending the
5 9 school district's approved local program.

5 10 b. The enrollment count of eligible students shall
5 11 not include a child who is included in the enrollment
5 12 count determined under section 257.6 or a child who is
5 13 served by a program already receiving state or federal
5 14 funds for the purpose of the provision of
5 15 four-year-old preschool programming while the child is
5 16 being served by the program. Such preschool
5 17 programming includes but is not limited to child
5 18 development assistance programs provided under chapter
5 19 256A, special education programs provided under
5 20 section 256B.9, school ready children grant programs
5 21 and other programs provided under chapter 28, and
5 22 federal head start programs and the services funded by
5 23 Title I of the federal Elementary and Secondary
5 24 Education Act of 1965.

5 25 Sec. 5. NEW SECTION. 256C.5 FUNDING FORMULA.

5 26 1. DEFINITIONS. For the purposes of this section
5 27 and section 256C.4:

5 28 a. "Base year", "budget year", "regular program
5 29 state cost per pupil", and "school district" mean the
5 30 same as defined or described in chapter 257.

5 31 b. "Eligible student" means a child who meets
5 32 eligibility requirements under section 256C.4.

5 33 c. "Preschool budget enrollment" means the figure
5 34 that is equal to sixty percent of the actual
5 35 enrollment of eligible students in the preschool
5 36 programming provided by a school district approved to

5 37 participate in the preschool program on October 1 of
5 38 the base year, or the first Monday in October if
5 39 October 1 falls on a Saturday or Sunday.
5 40 d. "Preschool foundation aid" means the product of
5 41 the regular program state cost per pupil for the
5 42 budget year multiplied by the school district's
5 43 preschool budget enrollment.
5 44 2. PRESCHOOL FOUNDATION AID DISTRICT AMOUNT.
5 45 a. For the initial school year for which a school
5 46 district approved to participate in the preschool
5 47 program receives that approval and implements the
5 48 preschool program, the funding for the preschool
5 49 foundation aid payable to that school district shall
5 50 be paid from the appropriation made for that school
6 1 year in section 256C.6 or in another appropriation
6 2 made for purposes of this chapter. For that school
6 3 year, the preschool foundation aid payable to the
6 4 school district is the product of the regular program
6 5 state cost per pupil for the school year multiplied by
6 6 sixty percent of the school district's eligible
6 7 student enrollment on the date in the school year
6 8 determined by rule.
6 9 b. For budget years subsequent to the initial
6 10 school year for which a school district approved to
6 11 participate in the preschool program receives that
6 12 approval and implements the preschool program, the
6 13 funding for the preschool foundation aid payable to
6 14 that school district shall be paid from the
6 15 appropriation made in section 257.16.
6 16 3. AID PAYMENTS. Preschool foundation aid shall
6 17 be paid as part of the state aid payments made to
6 18 school districts in accordance with section 257.16.
6 19 4. ADMINISTRATION AND OVERSIGHT. Except as
6 20 otherwise provided by law for a fiscal year, of the
6 21 amount appropriated for that fiscal year for payment
6 22 of preschool foundation aid statewide, the department
6 23 may use an amount sufficient to fund up to three
6 24 full-time equivalent positions which shall be in
6 25 addition to the number of positions authorized for the
6 26 fiscal year, as necessary to provide administration
6 27 and oversight of the preschool program.
6 28 Sec. 6. NEW SECTION. 256C.6 PHASE-IN ==
6 29 APPROPRIATIONS.
6 30 1. PHASE-IN. For the initial fiscal year in which
6 31 a school district participates in the preschool
6 32 program pursuant to an appropriation provided in
6 33 subsection 2, the department shall apply a modified
6 34 set of the requirements of the provisions of this
6 35 chapter relating to preschool program implementation,
6 36 preschool enrollment reporting, and distribution of
6 37 funding as necessary to begin the distribution in that
6 38 fiscal year and additional program implementation in
6 39 the next fiscal year. For each month after September
6 40 1, in the initial fiscal year that a school district
6 41 approved to participate in the preschool program
6 42 begins programming, the department shall reduce the
6 43 preschool foundation aid payable to the school
6 44 district by one-tenth of the amount that would
6 45 otherwise have been payable to the school district for
6 46 the full school year.
6 47 2. APPROPRIATIONS FOR INITIAL YEARS. There is
6 48 appropriated from the general fund of the state to the
6 49 department of education for the designated fiscal
6 50 years the following amounts, or so much thereof as is
7 1 necessary, to be used for the initial year preschool
7 2 foundation aid payments to school districts approved
7 3 to participate in the preschool program and
7 4 administrative costs:
7 5 a. For the fiscal year beginning July 1, 2008, and
7 6 ending June 30, 2009, fifteen million dollars.
7 7 b. For the fiscal year beginning July 1, 2009, and
7 8 ending June 30, 2010, fifteen million dollars.
7 9 c. For the fiscal year beginning July 1, 2010, and
7 10 ending June 30, 2011, sixteen million one hundred
7 11 sixty-two thousand five hundred dollars.
7 12 3. INSUFFICIENT FUNDING. For the fiscal years in
7 13 the period beginning July 1, 2007, and ending June 30,
7 14 2011, if the number of requests from school districts
7 15 for initial participation in the preschool program
7 16 exceeds the funding made available for the preschool
7 17 program, the department shall utilize all of the

7 18 following selection criteria in selecting the school
7 19 districts that will be approved to participate in the
7 20 preschool program:
7 21 a. Priority shall be given to school districts
7 22 that do not have existing preschool programming within
7 23 the school district boundaries.
7 24 b. Priority shall be given to school districts
7 25 that have a high percentage of children in poverty and
7 26 such children shall receive first priority for the
7 27 programs.
7 28 c. Consideration shall be given to the size of
7 29 school districts in large, medium, and small
7 30 categories in order for there to be equitable
7 31 statewide distribution of preschool program services.
7 32 d. Consideration shall be given to school
7 33 districts with established, high-quality, community
7 34 partnerships for the delivery of preschool programming
7 35 that are seeking to expand access.
7 36 4. REPEAL. This section is repealed July 1, 2011.

7 37 DIVISION II

7 38 CONFORMING AMENDMENTS

7 39 Sec. 7. Section 256.11, subsection 1, Code 2007,
7 40 is amended by adding the following new unnumbered
7 41 paragraph:
7 42 NEW UNNUMBERED PARAGRAPH. For the purposes of this
7 43 subsection, "prekindergarten program" includes but is
7 44 not limited to a school district's implementation of
7 45 the preschool program established pursuant to chapter
7 46 256C.

7 47 Sec. 8. Section 257.16, subsection 1, Code 2007,
7 48 is amended to read as follows:

7 49 1. There is appropriated each year from the
7 50 general fund of the state an amount necessary to pay
8 1 the foundation aid under this chapter, the preschool
8 2 foundation aid under chapter 256C, supplementary aid
8 3 under section 257.4, subsection 2, and adjusted
8 4 additional property tax levy aid under section 257.15,
8 5 subsection 4.

8 6 Sec. 9. Section 285.1, subsection 1, paragraph c,
8 7 Code 2007, is amended to read as follows:

8 8 c. Children attending prekindergarten programs
8 9 offered or sponsored by the district or nonpublic
8 10 school and approved by the department of education or
8 11 department of human services or children participating
8 12 in preschool in an approved local program under
8 13 chapter 256C may be provided transportation services.

8 14 However, transportation services provided nonpublic
8 15 school children are not eligible for reimbursement
8 16 under this chapter.

8 17 Sec. 10. EMERGENCY RULES. The state board of
8 18 education may adopt emergency rules under section
8 19 17A.4, subsection 2, and section 17A.5, subsection 2,
8 20 paragraph "b", to implement the provisions of this Act
8 21 and the rules shall be effective immediately upon
8 22 filing unless a later date is specified in the rules.
8 23 Any rules adopted in accordance with this section
8 24 shall also be published as a notice of intended action
8 25 as provided in section 17A.4.>

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